

*Canz*  
An Ordinance Amending Ordinance No. 188, Being "An Ordinance to Regulate the Sale and Handling of Milk in the City of Lodi; Providing a Penalty for the Violation Thereof; and Repealing All Ordinances and Parts of Ordinances in Conflict Therewith," By Amending Sections 1, 2, 5 and 7 Thereof.

*357* — The City Council of the City of Lodi doe6 ordain as follows:  
to-wit :

Section. 1. ~~When~~ Ordinance No. 188 is herein referred to, it shall mean that certain ordinance entitled "An Ordinance to Regulate the Sale and Handling of Milk in the City of Lodi; Providing a Penalty for Violation Thereof; and Repealing all Ordinance6 and Parts of Ordinances in Conflict Therewith."

Section 2. That Section 1 of Ordinance No. 188, be and the same is hereby amended to read as follows:

Section 1. (a) Whenever the term "Milk and Milk Products Act" is used in this Ordinance it shall refer to and mean the "Milk and Milk Products Act of 1941" as defined in Division 4 of the Agricultural Code of the State of California, as amended.

(b) Definitions: Definitions of terms a6 used in this ordinance shall be identical with those of the same terms as used in the Milk and Milk Products Act of 1941.

(c) The term "milk" as used herein shall be construed to mean the milk of cows and/or goats a6 distinguished from the milk of sheep or other animals, which is supplied to the consumer in the natural fluid state, or prepared for human consumption without being converted to any other form of product, a6 distinguished from manufacturing milk; and provided, however,

that dairies with only one cow are hereby exempt from the provisions of this ordinance.

(d) Milk shall contain not less than three and four-tenths per cent (~~3.4%~~) of milk fat as a minimum.

(e) The term "Health Officer" shall be construed to mean the District Health Officer of the San Joaquin Local Health District, or his authorized representatives.

Section 3. That Section 2 of Ordinance No. 188, be and the same is hereby amended to read as follows:

Section 2. CERTAIN SALES PROHIBITED: It shall be unlawful for any person, firm, association or corporation, by themselves or their agents or employees, to bring into or receive into the City of Lodi, for sale, or to sell, offer or expose for sale or exchange, present or deliver to any creamery, milk pasteurizing plant or other buyer, consumer or user of milk, or to knowingly purchase or receive any milk which does not conform wholly and in all parts to, or which has not been produced, handled, transported, processed, labeled, kept or sold in accordance with all the provisions of the Milk and Milk Products Act of 1941, the rules and regulations promulgated thereunder, and the provisions of this ordinance.

Section 4. That Section 5 of Ordinance No. 188, be and the same is hereby amended to read as follows:

Section 5. PERMITS: No person, firm, association or corporation engaged in the production, processing or distribution of milk for retail redistribution, shall produce for sale, sell, offer for sale, distribute or have in his or their charge or possession for sale or distribution in the City of Lodi, any milk without first obtaining a permit from the Health Officer to conduct such business

or distribution nor shall any person sell, offer for sale or have in his charge, custody or control any milk purchased, acquired or received from or produced by any person, firm, association or corporation engaged in the production, processing or distribution of milk for retail redistribution, who has not secured or does not possess at that time such a permit.

In no case shall a permit be issued to any person, firm, association or corporation subject to the provisions of this ordinance until the Health Officer has determined that such person, firm, association or corporation has complied with all the provisions of the Milk and Milk Products Act of 1941 of the rules and regulations promulgated thereunder, and of this ordinance,

No permit issued under the provisions of this ordinance shall be sold, assigned or transferred.

Permits issued under the provisions of this ordinance may be revoked by the Health Officer upon the violation by the holder of any of the provisions of this ordinance or in any emergency when in the judgment of the Health Officer the milk supply in question has become a public health menace.

Section 5. That Section 7 of Ordinance No. 188, be and the same is hereby amended to read as follows:

Section 7. GRADING OF MILK: All milk sold or distributed in the City of Lodi shall be graded as hereinafter provided and it shall be unlawful for any producer, distributor or dealer to sell or offer for sale, exchange or distribution, or to present or deliver in said City of Lodi any milk which fails to conform to said grading.

1. Grade A Pasteurized Milk.
2. Grade A Pasteurized Cream.

All grades of milk shall be produced and handled under and shall conform in every way to the provisions of the Milk and Milk Products Act of 1941 to the rules and regulations promulgated thereunder, and to the provisions of this ordinance relating to said grades, except as hereinafter provided.

(a) The maximum bacterial count on Grade A Pasteurized Milk before pasteurization shall be fifty thousand (50,000) per milliliter.

(b) Grade A Pasteurized Cream shall conform to all of the requirements as prescribed by this Ordinance for Grade A Pasteurized Milk except that it shall contain not more than one hundred fifty thousand (150,000) bacteria per milliliter before pasteurization, and not more than forty-five thousand (45,000) bacteria per milliliter after pasteurization. It shall contain not less than 20% butter fat, and shall be bottled on the premises where pasteurized.

(c) All persons engaged in operating a pasteurizer for the processing of Grade A Pasteurized milk and Grade A Pasteurized cream shall first obtain and hold a written permit to do so from the Health Officer or his authorized representatives, said permit to be known as a pasteurizer's permit. Upon receipt of an application for such permit, the Health Officer or his authorized representative shall examine into the qualifications of the applicant and every applicant shall satisfy said Health Officer or his authorized representatives of his qualifications and shall have a thorough knowledge of the provisions of the law which he must comply.

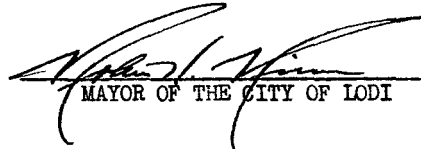
Any pasteurizer's permit may be suspended or revoked by the Health Officer for violation, by the holder thereof, of any of

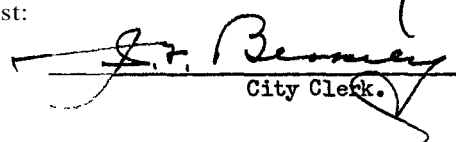
the provisions of the Milk and Milk Products Act of 1941, the rules and regulations promulated thereunder, or of this ordinance.

Section 3. This ordinance shall take effect and be in full force from and after thirty (30) days from its final passage.

I hereby approve the foregoing Ordinance No 343 this 19 day of February 1947

Attest:

  
MAYOR OF THE CITY OF LODI

  
City Clerk.

STATE OF CALIFORNIA,  
COUNTY OF SAN JOAQUIN,  
CITY OF LODI

ss

I, J. F. BLAKELY, City Clerk of the City of Lodi and exofficio Clerk of the City Council of said City, do hereby certify that the foregoing Ordinance No 343 was regularly introduced in the said City Council in regular meeting held February 5, 1947 and was thereafter passed, adopted and ordered to print in a subsequent regular meeting of said City Council held on the 19th day of February, 1947 by the following vote:

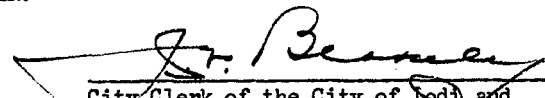
AYES: Councilmen, HASKELL, LYTTLE AND RINN

NOES: Councilmen, NONE

ABSENT: Councilmen, RIGGS AND TOLLIVER

I further certify that the said Ordinance No. 343 was approved by the Mayor on the date of its final passage and adoption and that the same has been published according to law.

Dated: February 19, 1947

  
City Clerk of the City of Lodi and  
exofficio Clerk of the City Council  
of said City.